

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

GORDON FULLER,)	
)	
Claimant,)	IC 01-504069
v.)	01-510368
)	03-524395
)	
MICRON TECHNOLOGY, INC.,)	
)	
Employer.)	ORDER
)	
and)	
)	Filed: July 21, 2005
LIBERTY NORTHWEST INSURANCE)	
CORPORATION,)	
)	
Surety,)	
Defendants.)	
_____)	

Pursuant to Idaho Code § 72-717, Referee Rinda Just submitted the record in the above-entitled matter, together with her proposed findings of fact and conclusion of law, to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendation of the Referee. The Commission concurs with this recommendation. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusion of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant has failed to prove to a reasonable degree of medical probability that he sustained cervical herniations either as a result of his April 9, 2001 industrial accident, or the October 27, 2003 fab incident.

2. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all matters adjudicated.

DATED this 21 day of July, 2005.

INDUSTRIAL COMMISSION

/s/_____
Thomas E. Limbaugh, Chairman

James F. Kile, Commissioner

/s/_____
R.D. Maynard, Commissioner

ATTEST:

/s/_____
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 21 day of July, 2005, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following persons:

PAUL J AUGUSTINE
PO BOX 1521
BOISE ID 83701

SCOTT HARMON
HARMON WHITTIER & DAY
PO BOX 6358
BOISE ID 83707-6358

djb

/s/_____